

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JIMMIE JAMES NORMAN, JR.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:08-cv-01695-AGF
)	
MARTEN TRANSPORT, LTD.,)	
And RICHARD J. HAIGHT)	
)	
Defendants.)	

PLAINTIFF'S MOTION FOR NEW TRIAL PURSUANT TO FRCP 59

COMES NOW THE Plaintiff, Jimmie James Norman, Jr., by and through his attorneys, and for his Motion for New Trial Pursuant to FRCP 59, states as follows:

1. The verdict of the jury is against the weight of the evidence.
2. This Court should grant a new trial due to the outrageous and highly inflammatory arguments by Defendants' attorney, that were not supported by any evidence, but were merely used to impugn the character of the Plaintiff and inflame the jury to ignore the evidence and the Court's instructions in favor of the Defendants.
3. The Court erred in permitting the admission of the redacted police report.
4. The Court erred in refusing to grant Plaintiff's motion for a directed verdict.
5. Plaintiff also submits herewith his Memorandum in Support of this Motion for New Trial Pursuant to FRCP 59 and incorporates said Memorandum herein.

WHEREFORE, for the reasons set forth above, Plaintiff respectfully requests that this Court order a new trial in the above-captioned matter and for any further relief the Court may deem just and proper under the circumstances.

Respectfully submitted,

BAUER & BAEBLER, P. C.

/s/ Joseph L. Bauer, Jr.
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed electronically with the Clerk of the Court on the 1st day of September, 2011 to be served by operation of the Court's electronic filing system upon:

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